

Appl. No. 09/741,807
Amendment Dated February 23, 2006
Reply to Office Action of November 23, 2005

REMARKS

Claims 1, 2, 4-6, 8-10, 21, and 23-29 are pending in this application. Claims 1, 21, 25, and 29 have been amended. No new matter has been added. Favorable reconsideration and allowance of the standing claims are respectfully requested.

Claims 1, 2, 4-10, 21, and 23-29 were rejected under 35 U.S.C. § 103(a) as being unpatentable over United States Patent Number (USPN) 6,772,216 to Ankireddipally et al. ("Ankireddipally") in view of USPN 6,715,129 to Hind et al. ("Hind"). Applicants respectfully traverse the rejection.

While Applicants disagree with the broad grounds of rejection presented in the Office Action, the independent claims have been amended in order to expedite prosecution on the merits.

Independent claim 1 has been amended to recite "a transformer to transform a message from a first format to a second format and to transform a reply to the message from the second format to the first format, at least one of the first format and the second format comprising an XML format defining a document type."

Independent claim 21, 25, and 29 have been amended to recite "transforming the message from a first format to a second format and transforming a reply to the message from the second format to the first format using the identified transform template, at least one of the first format and the second format comprising an XML format defining a document type."

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To form a *prima facie* case of obviousness under 35 U.S.C. § 103(a) the cited reference or references, when combined, must teach or suggest every element of the claim. *See e.g.* MPEP § 2143.03. Moreover, all of the teachings of the cited references must be considered, even disclosures that teach away from the claimed invention. *See* MPEP § 2141.02. Furthermore, the proposed combination cannot render the cited references unsatisfactory for their intended purpose or change the principle of operation of a reference. *See* MPEP § 2143.01, for example. Thus, it is improper to combine references where the references teach away from their combination. *See* MPEP § 2145, for example. Additionally, if an independent claim is non-obvious under 35 U.S.C. § 103, then any claim depending therefrom is non-obvious. *Id.*

Applicants respectfully submit that neither Ankireddipally nor Hind teaches or suggests, among other things, transforming a message from a first format to a second format and transforming a reply to the message from the second format to the first format, at least one of the first format and the second format comprising an XML format defining a document type. Namely, both Ankireddipally and Hind are directed to performing one-way translating or transcoding. Moreover, Applicants submit that the references teach away from such modification and that modifying the references would render them unsatisfactory for their intended purposes and would change their principle of operation.

As such, even if Ankireddipally could be combined with Hind, which Applicants do not admit, such combination fails to teach or suggest all of the features of amended independent claims 1, 21, 25, and 29 and thus is insufficient to establish a *prima facie* case of obviousness with respect to such claims. Furthermore, Applicants submit that

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there is no motivation to combine the teaching of Ankireddipally with Hind and that there is no reasonable expectation of success to make such combination.

Applicants submit that the amended independent claims are non-obvious and represent patentable subject matter in view of Ankireddipally and Hind, whether taken alone or in combination. Applicants remind the Examiner that if an independent claim is non-obvious under 35 U.S.C. § 103, then any claim depending therefrom is non-obvious. *See e.g.*, MPEP § 2143.03.

For at least the reasons set forth above, Applicants submit that claims 1, 2, 4-6, 8-10, 21, and 23-29 are allowable. Accordingly, removal of the § 103(c) rejection of claims 1, 2, 4-6, 8-10, 21, and 23-29 is requested.

It is believed that this application is in condition for allowance. Accordingly, a timely Notice of Allowance to this effect is earnestly solicited.

The Examiner is invited to contact the undersigned at 724-933-9344 to discuss any matter concerning this application.

The Office is hereby authorized to charge any additional fees or credit any overpayments under 37 C.F.R. § 1.16 or § 1.17.

Respectfully submitted,

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Under 37 CFR 1.34(a)

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